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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/691,603      | 10/18/2000  | David F. Bologna     | COMP:0165 P00-3084  | 3208             |

7590 06/03/2003

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| EXAMINER |
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DUONG, HUNG V

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| ART UNIT | PAPER NUMBER |
|----------|--------------|

2835

DATE MAILED: 06/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
**09/691,603**

Applicant(s)  
**Bologna et al.**

Examiner  
**Hung Duong**

Art Unit  
**2835**



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 20-30 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16, 20-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 15-16, 20-24 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

In claim 15, the limitation “...moved linearly from...wherein the linear movement...” finds no support in the specification.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

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such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-16, and 20-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Gill et al (US Pat. 5,388,032) .

Regarding claims 1-16, 20-30, Gill et al. teaches a computer system with chassis 160 and information display module 130 that moves linearly between an open and retracted position (see, for example Figs. 2 and 1). Resilient member 178 comprises torsion springs which bias the display module towards the retracted position. Outer guide housing 106 receives the LCD module and comprises a retraction assembly (see, for example, Figs. 5 and 7) to which the LCD module is pivotally attached. The outer guide housing is located in a horizontal plane generally perpendicular to the vertical front of the computer system. Gill et al. lacks the teaching of the computer system specifically being a server, however discloses a monitoring system for a plurality of computers. A server is by definition "a computer running administrative software that controls access to the network and its resources" Microsoft Press Computer Dictionary. The monitoring system including a cabinet or chassis with multiple computers being controlled therein operates in a similar fashion to a server controlling access to a network. It would have been obvious to one of ordinary skill in the art to provide a retractable LCD module in a server as taught by the computer monitoring system of Gill et al. to provide visual output from the server and to save space for storing the display module. With respect to the method claims the display module of Gill et al. inherently conserves space in the structure as claimed. With respect to the floppy drive and CD drive assemblies, it is noted that these are conventional components of computer systems. As seen

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in Fig. 12 of Gill et al. the display monitor is pivoted to an open position which blocks the front of computer 340. It would have been obvious to one of ordinary skill in the art for the computer 340 of Gill et al. to contain a floppy drive or CD drive as being conventional computer components. Any components located within computer 340 would be blocked by the display module of Gill et al. as seen in the open position. In the retracted position the LCD module of Gill et al. is horizontal and thus perpendicular to the front of the housing.

#### ***Response to Amendment***

5. Applicant's arguments with respect to claims 1-16, 20-30 dated 2/01/2003, in pages 3-6 that "equipment rack 160 is not a computer system chassis" or "...display housing 130 does not move between an open and retracted position with respect to a server.....". However, Gill clearly showed in figure 12 that the retractable LCD module retracted within the chassis of the server as above mentioned and that the equipment rack 160 is within the computer chassis.

#### ***Conclusion***

6. Applicant's arguments with respect to claims 1-16, and 20-30 with addition limitation have been considered but are moot in view of the previous of rejection.

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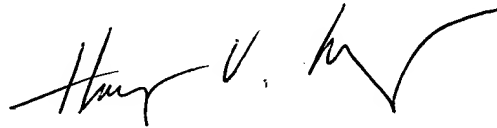
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Duong whose telephone number is (703) 308-4889. The examiner can normally be reached on M-F from 8:30 to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg, can be reached on (703) 308-4815. The fax phone number for this Group is (703)308- 7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)308-0956 .

HVD

5/22/03.

A handwritten signature in black ink, appearing to read 'Hung V. Duong', with a stylized flourish at the end.

Hung Duong

Patent Examiner.